

STATE OF SOUTH CAROLINA

(Caption of Case)

Office of Regulatory Staff, Complainant/Petitioner
vs. Quail Pointe Apartments, Defendant/RespondentBEFORE THE
PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA

COVER SHEET

DOCKET

NUMBER: 2007 - 228 - G

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2008 JAN 14 PM 4:41
SC PUBLIC SERVICE
COMMISSION

(Please type or print)

Submitted by: Scott Elliott

SC Bar Number: 1872

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NOTE: The cover sheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for use by the Public Service Commission of South Carolina for the purpose of docketing and must be filled out completely.

DOCKETING INFORMATION (Check all that apply)

☐ Emergency Relief demanded in petition☐ Request for item to be placed on Commission's Agenda expeditiously☐ Other:

INDUSTRY (Check one)

NATURE OF ACTION (Check all that apply)

- | | | | |
|------------------------------------------------------|----------------------------------------------------|------------------------------------------------------------|----------------------------------------------------|
| <input type="checkbox"/> Electric | <input type="checkbox"/> Affidavit | <input checked="" type="checkbox"/> Letter | <input type="checkbox"/> Request |
| <input type="checkbox"/> Electric/Gas | <input type="checkbox"/> Agreement | <input type="checkbox"/> Memorandum | <input type="checkbox"/> Request for Certification |
| <input type="checkbox"/> Electric/Telecommunications | <input type="checkbox"/> Answer | <input type="checkbox"/> Motion | <input type="checkbox"/> Request for Investigation |
| <input type="checkbox"/> Electric/Water | <input type="checkbox"/> Appellate Review | <input type="checkbox"/> Objection | <input type="checkbox"/> Resale Agreement |
| <input type="checkbox"/> Electric/Water/Telecom. | <input type="checkbox"/> Application | <input type="checkbox"/> Petition | <input type="checkbox"/> Resale Amendment |
| <input type="checkbox"/> Electric/Water/Sewer | <input type="checkbox"/> Brief | <input type="checkbox"/> Petition for Reconsideration | <input type="checkbox"/> Reservation Letter |
| <input checked="" type="checkbox"/> Gas | <input type="checkbox"/> Certificate | <input type="checkbox"/> Petition for Rulemaking | <input type="checkbox"/> Response |
| <input type="checkbox"/> Railroad | <input type="checkbox"/> Comments | <input type="checkbox"/> Petition for Rule to Show Cause | <input type="checkbox"/> Response to Discovery |
| <input type="checkbox"/> Sewer | <input type="checkbox"/> Complaint | <input type="checkbox"/> Petition to Intervene | <input type="checkbox"/> Return to Petition |
| <input type="checkbox"/> Telecommunications | <input type="checkbox"/> Consent Order | <input type="checkbox"/> Petition to Intervene Out of Time | <input type="checkbox"/> Stipulation |
| <input type="checkbox"/> Transportation | <input type="checkbox"/> Discovery | <input type="checkbox"/> Prefiled Testimony | <input type="checkbox"/> Subpoena |
| <input type="checkbox"/> Water | <input type="checkbox"/> Exhibit | <input type="checkbox"/> Promotion | <input type="checkbox"/> Tariff |
| <input type="checkbox"/> Water/Sewer | <input type="checkbox"/> Expedited Consideration | <input type="checkbox"/> Proposed Order | <input type="checkbox"/> Other: Extension Request |
| <input type="checkbox"/> Administrative Matter | <input type="checkbox"/> Interconnection Agreement | <input type="checkbox"/> Protest | by Consent |
| <input type="checkbox"/> Other: | <input type="checkbox"/> Interconnection Amendment | <input type="checkbox"/> Publisher's Affidavit | |
| | <input type="checkbox"/> Late-Filed Exhibit | <input type="checkbox"/> Report | |

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January 14, 2008

VIA HAND DELIVERY

Mr. Charles L. A. Terreni
Chief Clerk of the Commission
SC Public Service Commission
P. O. Drawer 11649
Columbia, SC 29211

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RE: Office of Regulatory Staff v. Quail Pointe Apartments
Docket No. 2007-228-G

Dear Mr. Terreni:

As your records will reflect, I represent the Respondent Quail Pointe Apartments, LLC in the above captioned docket. For the reasons set out, I would move on its behalf for a continuance of the proceedings scheduled for February 12, 2008, and an extension of time in which to file testimony.

In its petition, the Office of Regulatory Staff ("ORS") requests that this Commission issue a notice to require Quail Pointe Apartments to appear and show cause why Quail Pointe Apartments should not be regulated as a public utility under the jurisdiction of this Commission and the ORS. Quail Pointe Apartments, LLC was served with the Commission's notice and has submitted an answer. However, Quail Pointe Apartments, LLC has sold the apartments subject of the ORS petition to a third party who now owns and operates these apartments. It would appear that the above docket cannot be fully and completely resolved without joining this necessary third party. Accordingly, the Respondent Quail Pointe Apartments, LLC moves for a continuance and an extension of all pre-filing deadlines for the purpose of joining a third party necessary for the full and complete resolution of the pending docket.

The ORS consents to a continuance to allow the Respondent Quail Pointe Apartments, LLC to crossclaim against the third party. However, the ORS would propose that the Commission issue a scheduling order sufficient to ensure the prompt filing and service of a petition to join the third party and setting reasonable pre-filing deadlines once the third party is joined in the proceedings. The Respondent Quail Pointe, Apartments, LLC would consent to the ORS proposal.

Mr. Terreni
January 14, 2008
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I would appreciate the Commission's earliest attention to this request. If you or counsel has questions, please do not hesitate to contact me.

Sincerely,

ELLIOTT & ELLIOTT, P.A.

A handwritten signature in black ink, appearing to read "Scott Elliott", written over the firm name.

Scott Elliott

SE/jcl

Enclosure

cc: Jeffrey M. Nelson, Esquire, ORS
Stephan C. Ouverson, Esquire